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COUNSEL FOR JAMES FRINZI; FRINZI FAMILY TRUST;
MULTIBAND GLOBAL RESOURCES, LLC

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	
	§	
GOODMAN NETWORKS, INC.	§	Case No. 22-31641-mv-7
	§	
Debtor.	§	(Chapter 7)
	§	
	§	
	§	
SCOTT M. SIEDEL, TRUSTEE; GNET ATC, LLC; MULTIBAND FIELD SERVICES, INC.	§	
	§	
	§	
	§	
Plaintiffs,	§	ADVERSARY PROCEEDING
	§	NO: 23-03036-mvl
vs.	§	
	§	
JAMES FRINZI; FRINZI FAMILY TRUST; MULTIBAND GLOBAL RESOURCES, LLC	§	
	§	
	§	
	§	
Defendants.	§	

DEFENDANTS' MOTION TO WITHDRAW THE REFERENCE

Through its counsel of record, and pursuant to 28 U.S.C. § 157(d), Federal Rule of Bankruptcy Procedure 5011 and Local Bankruptcy Rule 5011-1, Defendants James Frinzi (“Frinzi”), Frinzi Family Trust (“FFT”), and Multiband Global Resources, LLC (“MGR”),

collectively, “Defendants”), respectfully request the United States District Court for the Northern District of Texas, Dallas Division, withdraw the local order of the United States District Court for the Northern District of Texas (*Ord. of Reference of Bankr. Cases and Proc. Nunc Pro Tunc, In re Misc. Ord. No. 33* (N.D. Tex. Aug. 3, 1984) (the “Reference Order”)) as to the above-referenced Adversary Proceeding for all purposes, including all pre-trial matters. In support of this Motion, Defendants state that:

Defendants have a constitutional right to a jury trial under the Seventh Amendment if a trial is necessary. Defendants have requested a jury trial, do not consent to the Bankruptcy Court conducting a jury trial in this Adversary Proceeding, and do not consent to the Bankruptcy Court entering final orders or judgments in this Adversary Proceeding. In addition, Defendants respectfully request that the reference be withdrawn immediately because: (1) the Bankruptcy Court has not yet decided any substantive matters related to these claims; (2) the inherent nature of the majority of claims asserted in *Plaintiff’s Amended Complaint* [Dkt. 30] (“Amended Complaint”) are not within the specialized expertise of the Bankruptcy Court; and (3) efficiency and expediency would be served by obviating the need for two courts to become familiar with this matter, when the District Court can efficiently and cost-effectively address the pretrial matters and jury trial on the claims asserted in the Amended Complaint. In support of this Motion, Defendants rely upon a contemporaneously filed Brief in Support.

WHEREFORE, Defendants James Frinzi, Frinzi Family Trust, and Multiband Global Resources, LLC, respectfully request that this Court:

- (1) grant this Motion;
- (2) grant any other relief that it deems just and proper.

Dated: December 1, 2023

Respectfully submitted,

/s/ Jason M. Rudd

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ATTORNEYS FOR JAMES FRINZI; FRINZI
FAMILY TRUST; and MULTIBAND GLOBAL
RESOURCES, LLC

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2023, I caused a true and correct copy of this document to be served on counsel of record for all parties in this Adversary Proceeding via the method(s) indicated below:

Davor Rukavina Thomas D. Berghman MUNSCH HARDT KOPF & HARR, P.C. 500 N. Akard Street, Suite 3800 Dallas, TX 75201 drukavina@munsch.com jvasek@munsch.com Counsel for the Scott Seidel, Chapter 7 Trustee	_____	Hand Delivery
	_____	Regular Mail
	_____	Facsimile
	<u> X </u>	E-mail
	<u> X </u>	CM/ECF

/s/ Paul T. Elkins

Paul T. Elkins